

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ASHLEY M GJOVIK,
Plaintiff,

v.

APPLE INC.,
Defendant.

Case No. 23-cv-04597-EMC

**ORDER DENYING PLAINTIFF'S
MOTION FOR LEAVE TO FILE SUR-
REPLY**

Docket Nos. 93-96


Plaintiff's motion for leave to file a sur-reply is **DENIED**. The brief is not targeted to any alleged new contention in Defendant's reply. Furthermore, the proposed sur-reply is more than seventy pages in length, exceeding the page lengths permitted for motions, oppositions, and reply briefs.

The Court therefore **STRIKES** the sur-reply and the documents submitted in support. The declaration is also improper as the motion pending before the Court is a 12(b)(6) motion and not, *e.g.*, a summary judgment motion.

Finally, to the extent Plaintiff has asked the Court to consider additional case authorities, *see* Docket No. 96, the Court reserves ruling as to whether it shall do so.

IT IS SO ORDERED.

Dated: August 22, 2024


EDWALE M. CHEN
United States District Judge